

CITY OF LLANO, TEXAS

DROUGHT CONTINGENCY PLAN ORDINANCE NO. 1522

MAY 2024

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DROUGHT CONTINGENCY PLAN

INTRODUCTION

It is necessary for the City of Llano to have in place a plan that will deal with emergency water demand situations. There are several scenarios where the public water supply could be adversely affected and the public's health jeopardized. Normal service can be interrupted by such uncontrollable circumstances as drought, hurricanes, tornadoes, vandalism, floods, contamination, or equipment failure. This Ordinance also has been developed to be initiated when the demands on the water system are significantly higher than normal conditions due to persistent drought periods, leading to higher than normal stress on the City's water system and supply. This Ordinance is in compliance with the Texas Commission on Environmental Quality regulations and LCRA's Drought Management Plan rules as adopted April 2005.

This Ordinance will provide the necessary indicators and control measures to temporarily abate water demand in emergency situations. These provisions are designed to be in place only as long as an emergency situation exists. To be effective the plan must have the following elements:

- Trigger conditions that will signal the existence of an emergency situation;
- Emergency control measures;
- Methods to relay information and notify the public;
- Enforcement procedures;
- Method of implementation of plan; and
- Procedure for plan termination notification.

SYSTEM DESCRIPTION

The City's water treatment facilities design capacity is rated at 2,083 gallons per minute (gpm) or 3.0 million gallons per day (MGD). The water treatment facility's current automated operation capacity is 1,200 gallons per minute (gpm) or 1.728 million gallons per day (MGD). Total water storage capacity of the City is 2.2 million gallons, of which 0.400 million gallons are considered elevated storage. In 2023, average daily water demand for the City was 0.654 MGD. The peak daily water demand for 2023 was 1.443 MGD. The distribution capacity is 3,400 gpm and provides potable water to eight pressure zones within the City. In high pressure areas of the distribution system greater than 110 psi, pressure reducer valves have been installed. Pressure reducers can be installed on homes where service pressure is greater than 80 psi by a licensed plumber.

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TRIGGER CONDITIONS

Section I: Declaration of Policy, Purpose and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Llano hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be **non-essential** and continuation of such uses **during times of water shortage or other emergency water supply conditions** are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Ordinance.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Ordinance was provided by the City of Llano by means of a public hearing.

Section III: Public Education

The City of Llano will **annually** provide the public with information about the Ordinance, including information about the conditions under which each state of the Ordinance is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of **press releases in local newspaper, public events, and utility bill inserts.**

Section IV: Coordination with Regional Water Planning Group

The service area of the City of Llano is located within the boundaries of the Lower Colorado River Authority, and the City of Llano has provided a copy of this Ordinance to the LCRA.

Section V: Authorization

The City Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Ordinance upon determination that such implementation is necessary to protect public health, safety and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought stages or other water supply emergency response measures as described in this Ordinance.

Section VI: Application

The provisions of this Ordinance shall apply to all persons, customers, and property utilizing potable water provided by the City of Llano. The terms "person" and "customer" as used in the Ordinance include individuals, corporations, partnerships, associations, and all other legal

entities. The term “water” as used in this Ordinance refers to potable water provided by the City of Llano.

Section VII: Definitions

For the purposes of this Ordinance, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Average Daily Flow: calculated average of gauge reading from LCRA Hydromet from reading nearest to 12:00 AM, 4:00 AM, 8:00 AM, 12:00 PM, 4:00 PM, and 8:00 PM at the Llano River at Llano guage.

Commercial and institutional water use: water use that is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water supplied by the City of Llano, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Contamination: the presence of any foreign substance (organic, inorganic, radiological, or biological) in water, which tends to degrade its quality and can constitute a hazard or impair the usefulness of the water.

Customer: any person, company, or organization using water supplied by City of Llano.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry or institution.

Even number address: street addresses or rural postal route numbers ending in 0, 2, 4, 6 or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscape areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and right-of-ways and medians.

Non-essential water use: water uses that are neither essential nor required for the protection of public, health, safety, and welfare, including:

1. Irrigation of landscape areas including parks, athletic fields and golf courses, except otherwise provided under this Ordinance;
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
3. Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
4. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
5. Flushing gutters or permitting water to run or accumulate in any gutter or street;
6. Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
7. Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
8. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
9. Use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: street addresses or rural postal route numbers ending in 1, 3, 5, 7 or 9

Potable: water that complies with Texas Commission of Environmental Quality (TCEQ) rules for drinking water and other domestic uses.

Section VIII: Criteria for Initiation, Response and Termination of Drought Response States

The flow of the Llano River is greatly dependent on base flow from springs. During periods of low base flow, the Llano River is capable of great fluctuations, even on a daily basis. Setting and implementing drought trigger levels with such fluctuation can be difficult and confusing to all parties involved.

The trigger levels established in this Ordinance are based on the condition that the Llano River is the only source of supply for the City of Llano. Should an additional backup source become established to supplement the Llano River, the DCP and trigger levels may need to be reviewed and revised.

The triggering criteria described below are based on the flow of water in the Llano River, water consumption rates, and water pressure within the system. The City of Llano's Water Conservation and Drought Contingency Plan is segmented into 3 stages. As part of the City of Llano's Water Conservation Plan, it is recommended that all customers voluntarily conserve water year-round by limiting non-essential water use to 2 times per week. It is suggested to maintain the watering schedule that is set forth in the Drought Contingency Plan. Stage 1 Moderate Water Shortage Conditions implements mandatory water conservations measures to twice per week and install the flashboards. Stages 2 and 3, Severe to Critical Water Shortage Conditions, are mandatory restrictions with triggers based on ZERO flow

over City Dam and Robinson Park Lake drained, respectively, as well as, any one or combination of high consumption rates, low water pressure in the system, and/or any situation deemed an emergency by the City Manager or his/her designee.

The City Manager or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Ordinance, shall determine that a moderate, severe, critical water shortage or emergency condition exists and shall implement the following procedures:

| Quick Reference | | | |
|-----------------|---|---|---|
| | Stage 1 | Stage 2 | Stage 3 |
| Triggers | After March 1st and River flow less than 80 cfs | Stage 1 Goal Not Met or | Stage 2 Goal Not Met or |
| | | No Flow over Dam | Robison Lake Low or |
| | | | Poor raw water or |
| | | | Act of God or Mechanical Failure |
| Restrictions | Mandatory | Mandatory | Mandatory |
| | Outdoor watering = Twice a Week | Outdoor watering = Once a Week | Outdoor Watering= None |
| | | Golf Course Restriction | No Non-essential Use |
| | | No bulk water sales | |
| | | Car Wash restriction | |
| | | Pool refill restriction | |
| | Fountain and Pond Restriction | | |
| System Demand | Less than or equal to 1.3 Million Gallons Per Day | Less than or equal to 0.8 Million Gallons Per Day | Less than or equal to 0.4 Million Gallons Per Day |
| Rescind | September 30th and River Flow above 80 cfs | River Flow Above 30 cfs | Both Lakes Full |

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STAGE 1 TRIGGERS – MODERATE WATER SHORTAGE CONDITIONS

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on landscape irrigation for Stage 1 of this Ordinance after March 1st when average daily the average daily discharge of the Llano River at Llano fall below 80 cfs.

The City of Llano shall install boards on City Dam annually, after March 1 when the average daily discharge of Llano River at Llano fall below 40 cfs. The City may implement Stage 1 of the Ordinance at any time if conditions prior to March 1st warrant concerns for the City of Llano water supply. The City shall increase public awareness of Recommended Water Conservation Efforts.

Requirements for termination:

After September 30th, the City of Llano shall rescind Stage 1 of the Ordinance and shall have the boards removed when the average daily discharge of the Llano River at Llano flows exceeds 80 cfs.

STAGE 1 RESPONSE – MODERATE WATER SHORTAGE CONDITIONS

Goal: Limit the daily pumpage at the water treatment plant to 1.3 million gallons per day.

Mandatory Water Use Restrictions:

Water customers are required to limit the irrigation of landscaped areas with automatic irrigation systems and hose-end sprinklers to twice per week on the designated water day during the hours of 12 Midnight to 10 AM and 7 PM to 12 Midnight.

Designated Watering Days

| | |
|--------------------------|---------------------------|
| Odd Numbered Addresses | Wednesday and/or Saturday |
| Even Numbered Addresses | Thursday and/or Sunday |
| Commercial, Multi-family | Tuesday and/or Friday |

Irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or water can of five (5) gallons or less, or drip irrigation system.

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STAGE 2 TRIGGERS – SEVERE WATER SHORTAGE CONDITIONS

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 2 of this Ordinance when:

1. When water naturally quits flowing over the City Dam/boards or,
2. When the Goal for Stage 1 cannot be met under Stage 1 Restrictions for 3 consecutive days.

Requirements for termination:

The City of Llano shall rescind Stage 2 of the Ordinance when the average daily discharge of the Llano River at Llano exceeds 30 cfs for 10 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

STAGE 2 RESPONSE – SEVERE WATER SHORTAGE CONDITIONS

Goal: Limit the daily pumpage at the water treatment plant to 0.8 million gallons per day calculated on a 7-day rolling average.

Water Use Restrictions:

1. Irrigation of landscaped areas shall be limited to once per week starting on the designated watering day between the twelve-hour period of 8:00 PM to 8:00 AM the following morning and shall be by means of a hose-end sprinkler, permanently installed automatic sprinkler systems, hand-held hose, a faucet-filled bucket, or drip irrigation system only.

**Hose-end Sprinklers, Sprinkler Systems,
Hand-held Hose (with automatic shutoff nozzle), and/or Drip Irrigation**

| <u>Addresses Ending In</u> | <u>Designated Day</u> |
|---------------------------------------|-----------------------|
| 0 or 9 | Monday |
| Commercial, Multi-family even address | Tuesday |
| 1 or 8 | Wednesday |
| 2 or 7, Golf Course | Thursday |
| Commercial, Multi-Family odd address | Friday |
| 3 or 6 | Saturday |
| 4 or 5 | Sunday |

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2. The watering of golf course fairways and tee is allowed once per week on starting on Thursday at 8:00 PM thru Friday 8:00 AM the following day. Greens are the most important investment in the golf course. Special rules apply to preserve the greens. The watering of greens on an as need bases is limited to between the hours of 8:00 PM to 8:00 AM by sprinkler system and hand-held hose between the hours of Noon and 6:00 PM. In high heat situations as determined by Director of Parks or City Manager, watering each green, by sprinkler system, up to a maximum of 10 minutes between the hours of Noon to 6:00 PM will be allowed.
3. The sale of bulk water and the rental of fire hydrant meters is to be discontinued.
4. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 8:00 PM and 8:00 AM.
5. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering day between the hours of 8:00 PM and 8:00 AM.
6. The operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system. Refilling of fountains or ponds equipped with a recirculation system is prohibited except on designated watering day between the hour of 8:00 PM and 8:00 AM.

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STAGE 3 TRIGGERS – CRITICAL WATER SHORTAGE

The effects of low-flow on the biological and chemical processes of the Llano River have an impact on the water needs of the citizens of Llano. While water restrictions are certainly a burden to citizens, they are necessary to limit additional strain on the Llano River and the associated treatment facilities. As the flow of the Llano River decreases to very low levels, the temperature of the water increases and the amount of dissolved oxygen in the water decreases. Lower levels of dissolved oxygen result in increased costs associated with treatment of higher levels of nitrates and resulting changes in water taste. These higher temperatures and reduced dissolved oxygen can also have a significant negative impact on the aquatic habitat of the River.

At the point which water can no longer be pumped from Robinson Park Lake and City Lake is full, there is an estimated 459 ac-ft of storage with the flashboards installed. With water elevation at the top of the boards to depth of the water intake, the capacity correlates to approximately 153 days of water remaining in City Lake. These figures are based off the 2012 Halff Report. It is recommended that the City obtain the resources to perform a bathometric survey to determine the quantity of water available. This is due to the ever-changing conditions of the river.

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on non-essential water uses for Stage 3 of this Ordinance when:

1. Water can no longer be pumped from Robinson Park Lake into City Lake, or
2. Poor raw water quality requiring less pumpage to maintain treatability, or
3. Water system fails from acts of God or man, or
4. Any mechanical failure of pumping equipment which will require more than twelve (12) hours to repair which causes unprecedented loss of capability to provide water service, or
5. The Goal for Stage 2 cannot be met under Stage 2 restriction.

Requirements for termination:

The City of Llano shall rescind Stage 3 of this Ordinance when both lakes are at full capacity. Upon termination of Stage 3, Stage 2 becomes operative.

STAGE 3 RESPONSE-CRITICAL WATER SHORTAGE

Goal: Limit the daily pumpage at the water treatment plant to 0.4 million gallons per day.

Meeting: The Mayor shall schedule weekly emergency meetings with the City Council to make any modifications to this plan. An item for “Discussion and Possible Action of submitted Variances” shall be placed on all City Council Meeting Agendas for the weekly emergency meetings with the City Council as required in this stage (see Section XI for variances).

Senior Water Right: Priority Call for Water Rights may be initiated.

The Mayor, at his/her discretion, may contact TCEQ and make a request for Priority Call claiming Water Rights.

- TCEQ Field Operations Program Support-512-239-0400
- TCEQ Region 11(Austin) Office-512-339-2929

Water use restrictions:

1. All Non-essential water use, as defined in Section VII, shall be prohibited.
2. Residents shall not be allowed to use water provided by the City of Llano to water trees, gardens, shrub, potted plants and/or foundations by any means.
3. The use of water provided by the City of Llano to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.
4. The use of water provided by the City of Llano for filling or refilling of any pools and/or hot tubs is absolutely prohibited including the City of Llano City Pool and City Splash pad.
5. The use of water provided by the City of Llano for watering the JLK Arena is prohibited.
6. The use of water for irrigations of the golf course from the Llano River shall be prohibited.
7. Due to potential biological growth due to low flow conditions, swimming in the Llano River at Robison Lake and Town Lake in Badu Park is strongly advised against. The city should make best efforts to notify the citizens of the potential hazards.

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STAGE 3 EXCESSIVE USAGE

Single-Family Residential Customers

Water rates for all residential customers served by the City shall, for gallons consumed in excess of 6,000 gallons, be charged at 5 (five) times the regular rate for the first billing after Stage 3 is implemented and ten (10) times the regular rate for the second billing after Stage 3 is implemented. If Stage 3 of the Water Conservation and Drought Contingency Plan has been in effect for the majority of days during any billing cycle (the 1st of each month through the 31st of the same month), Stage 3 rates will be charged for the entire billing cycle.

Master-Metered Multi-Family Residential Customers

Water rates for all residential water customers residing in a master-metered multi-family residence served by the City shall, for gallons consumed in excess of 6,000 gallons, be charged at 5 (five) times the regular rate for the first billing after Stage 3 is implemented and ten (10) times the regular rate for the second billing after Stage 3 is implemented. If Stage 3 of the Water Conservation and Drought Contingency Plan has been in effect for the majority of days during any billing cycle (the 1st of each month through the 31st of the same month), Stage 3 rates will be charged for the entire billing cycle.

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NOTIFICATION

The City of Llano shall notify the public regarding initiation or termination of drought response stages, and include what the next most severe stage entails, by means of:

| | <u>STAGE 1</u> | <u>STAGE 2</u> | <u>STAGE 3</u> |
|-----------------------------|-----------------------|-----------------------|-----------------------|
| City's Paper of Record | ✓ | ✓ | ✓ |
| Billing Statement | ✓ | ✓ | ✓ |
| Highway Signage | ✓ | ✓ | ✓ |
| Social Media | ✓ | ✓ | ✓ |
| Direct Mail | | ✓ | ✓ |
| Public Service Announcement | | ✓ | ✓ |

Additional Notification:

The City of Llano shall notify directly, or cause to be notified directly, the following individuals and entities:

1. Mayor / Chairman and members of the City Council / Utility Board
2. TCEQ (required when mandatory restrictions are imposed)
3. Fire Chief
4. City and/or County Emergency Management Coordinator(s)
5. County Judge and Commissioner(s)
6. Major water users
7. Critical water users, e.g. hospitals
8. Parks / Street Superintendents & Public Facilities Managers

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Section IX: Contamination

In the event of system failure or contamination, the City Manager will manage the City of Llano's limited water supply, in coordination with Local and/or State Emergency Management personnel, by requiring such measures as are necessary to maintain public health and safety, including elimination of service to part or all of the water system.

Section X: Enforcement

1. No person shall knowingly or intentionally allow the use of water from the City of Llano for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Ordinance, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the City Manager, or his/her designee, in accordance with provisions of this Ordinance.
2. Any person who violates this Ordinance is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00). Each day that one or more of the provisions in this Ordinance is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Ordinance, the Chief of Police or his/her designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$50.00, and any other costs incurred by the City of Llano in discontinuing service. In addition, suitable assurance must be given to the Mayor that the same action shall not be repeated while the Ordinance is in effect. Compliance with this Ordinance may also be sought through injunctive relief in the District Court.
3. Any person, including a person classified as a water customer of the City of Llano, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Ordinance and that the parent could not have reasonably known of the violation.

4. A peace officer employed by the City of Llano may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the Municipal Court on the date shown on the citation for which the date shall not be less than three (3) business days nor more than five (5) business days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator. The alleged violator shall appear in Municipal Court to enter a plea of guilty or not guilty for the violation of this Ordinance. If the alleged violator fails to appear in Municipal Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in Municipal Court before all other cases.

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Section XI: Variances

The City Manager, may in writing, grant a onetime per stage, temporary emergency variance, that shall remain in effect until reviewed and voted on by the city council at their next emergency meeting. This temporary emergency variance would be for existing water uses otherwise prohibited under this Ordinance if it is determined that failure to grant such variance would cause an undue hardship or an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

1. Compliance with this Ordinance cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Ordinance is in effect.
2. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City Secretary of the City of Llano after implementation of the Ordinance or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, and voted upon by the City Council; and shall include the following:

1. Name and address of the petitioner(s);
2. Purpose of water use;
3. Specific provision(s) of the Ordinance from which the petitioner is requesting relief;
4. Detailed statement as to how the specific provision of the Ordinance adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance;
5. Description of the relief requested;
6. Period of time for which the variance is sought;
7. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Ordinance and the compliance date; and
8. Other pertinent information.

Variances granted by the City of Llano shall be subject to the following conditions:

1. Variances granted shall include a timetable for compliance; and/or expiration
2. Variances granted shall expire when the Stage is no longer in effect, or as the petitioner has failed to meet specified requirements.

Due to the unpredictable, constantly evolving nature of drought conditions and water supply, variances may be limited in scope and duration as deemed appropriate by the granting body. Upon request, a variance extension may be granted based on current conditions if deemed appropriate by the granting body. A denied or expired variance may be reapplied for at any time and shall be evaluated based on current conditions.


No variance shall be retroactive or otherwise justify any violation of this Ordinance occurring prior to the issuance of the variance.

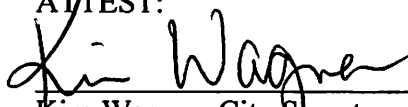
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ANNUAL EVALUATION AND REVISIONS

The trigger conditions shall be re-evaluated at least once a year for overall effectiveness and trigger conditions will be revised if necessary. This Ordinance will be revised at least every five years to provide updates and changes as appropriately required.

Revisions were made in April 2024. The next revision will be due by May 2029.


Marion Bishop Mayor

ATTEST:

Kim Wagner, City Secretary

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